

OIL SPILL NOTIFICATION, RESPONSE, AND RECOVERY

About the Compliance Assistance Guides...

The U.S. Environmental Protection Agency (EPA) has prepared this series of guides for owners and operators of oil facilities to help you better understand the Federal Oil Pollution Prevention regulation. This regulation has two sets of requirements -- the Spill Prevention Control and Countermeasure (SPCC) plan rule (an oil spill *prevention* program), and the Facility Response Plan (FRP) rule (an oil spill *response* program). You *must* comply with these requirements if you meet the applicability provisions set out in each rule. You can find the Federal Oil Pollution Prevention regulation in Title 40 of the Code of Federal Regulations (CFR) part 112 (40 CFR part 112). The CFR is available at Federal Depository Libraries around the country, many of which are on the campuses of major colleges and universities. The CFR is also available online at <http://www.gpo.gov>. Be aware that the series is *guidance* only; you should read the regulation if you think it applies to you.¹ A complete list of Oil Spill Program outreach guides and information on obtaining them appears in the “Compliance Assistance Guides” section at the end of this document. Or you may find the series at EPA’s Website at <http://www.epa.gov/oilspill>.

This guide, *Oil Spill Notification, Response, and Recovery* describes the spill notification process, spill response, and spill recovery.

When do I have to report a spill to the National Response Center?

When an oil spill enters into or threatens any navigable waters in the United States, coordinated teams of local, state, and national personnel help contain and clean up the spill, and assure that damage to human health and the environment from the spill is minimized. Careful planning and clear organization help in the efforts to deal with large oil spills. Lack of planning leads to ineffective and potentially harmful spills that may adversely impact response personnel and the environment.

¹This guidance is based on the existing SPCC/FRP rule and policies in effect December 31, 30, 1998. This guidance may change as the SPCC rule is revised.

The U.S. EPA, at 40 CFR 110 has established requirements for reporting spills in navigable waters or adjoining shorelines. These requirements mandate facilities to report discharges of oil in quantities that may be harmful to public health or welfare or the environment. Discharges of oil in quantities that may be harmful include those that:

- ◆ Violate applicable water quality standards;
- ◆ Cause a film or “sheen” upon, or discoloration of, the surface of the water or adjoining shorelines; or
- ◆ Cause a sludge or emulsion deposit beneath the surface of the water or upon adjoining shorelines.

1) Report oil and hazardous substance releases to the National Response Center (NRC) by calling 1-800-424-8802

2) Contact the nearest Coast Guard or Environmental Protection Agency Regional Office spill line; and

3) Report spills to the state, tribal land, territory, or commonwealth where the spill occurred. (Please see the contact information at the back of this guide.)

If a discharge from a vessel or facility occurs that may reach waters or adjoining shorelines (including storm drains) or land areas that may threaten waterways, vessel and onshore or offshore facility owners and operators *must* notify the NRC at (800) 424-8802.

What are Navigable Waters of the U.S.?

Section 502(7) of the Clean Water Act, defines the navigable waters of the United States as the following:

- 1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 FWPCA (Pub. L. 92-500), and tributaries of such waters;
- 2) Interstate waters;
- 3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and
- 4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

The term navigable waters also includes the territorial seas, as defined in 40 CFR 110.1.

States, tribes, and local governments may have specific spill reporting requirements for facilities. For example, a state may require a facility to report all spills meeting certain quantity thresholds, even if the spill does not leave a contained area within the facility.

Reporting to the NRC

When you call the NRC to report a spill or release, the staff person will ask you the following questions:

- ◆ Name, location, organization, and telephone number.
- ◆ Name and address of the party responsible for the incident.
- ◆ Date and time of the incident.
- ◆ Location of the incident.
- ◆ Source and cause of the release or spill.
- ◆ Types of material(s) released or spilled.
- ◆ Quantity of material(s) released or spilled.
- ◆ Danger or threat posed by the release or spill.
- ◆ Number and type of injuries (if any).
- ◆ Weather conditions at the incident location.
- ◆ Any other information that may help emergency personnel respond to the incident.

The NRC records and maintains all spill reports in a publicly available computer database called the Emergency Response Notification System (ERNS). You may obtain more information at the ERNS Website at <http://www.epa.gov/ERNS>. The ERNS database stores information on initial and follow-up notifications of oil discharges and hazardous substance releases. ERNS provides the most comprehensive data compiled on notification of oil and hazardous substance releases in the United States. To date, ERNS contains more than 350,000 release notifications. Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Clean Water Act (CWA), and other environmental statutes, you *must* report releases of oil and hazardous substances to the NRC.

How do I prepare for an effective response?

On-site facility response personnel initially attend to releases and threats of releases. Facility response personnel *must* know the location, capabilities, and operating instructions for response equipment to attempt an effective oil recovery.

SPCC/FRP Regulated Facilities (or Substantial Harm Facilities)

SPCC-regulated facilities that may cause substantial harm to the environment or exclusive economic zone, based on the quantity and location of their oil storage, *must* prepare Federal Response Plans (FRP) in accordance with 40 CFR 112.20 and 112.21. FRPs help ensure that these facilities have the capability to respond to worst case discharge scenarios. FRPs assist facilities and response agencies in expediting and coordinating their cleanup efforts. (See Compliance Assistance Guide – Federal Response Planning).

Other SPCC Regulated Facilities

Other facilities in the SPCC-regulated community can begin to prepare for spill response efforts by identifying control and response measures in their SPCC Plans. Every facility should have appropriate spill response equipment available and easily accessible. Spill kits should remain within reach, in a cabinet or locker, near the tanker car and truck loading or unloading racks and the storage tanks. A spill kit should contain absorbent pads and booms, disposal containers or bags, shovels, an emergency response guidebook, a fire extinguisher, and a portable pump. Facilities should also coordinate with local responders, other nearby facilities and contractors before a spill occurs to ensure an efficient and effective response.

Facility personnel, including seasonal employees, *must* participate in spill response, notification, and oil recovery training courses. Preparation for a response reduces the impact of a discharge on human health or the environment. Preparation minimizes cleanup costs and fines resulting from improper notification.

First Response

In the event of an oil spill, the facility activates its response Plan immediately. The OSC will activate local, area, regional, or national plans depending on the nature of the spill and the response capability of the facility.

On-Scene Coordinators

U.S. EPA and U.S. Coast Guard On-Scene Coordinators (OSCs) determine the human and equipment resources required to respond to a spill based on their assessment of the magnitude of the spill. The OSC coordinates federal response efforts with local, state, and regional response communities. A facility, responsible party, or local response agency(ies) may clean up a small spill; larger spills may require regional response efforts. In both instances, the OSC oversees and monitors the spill response to ensure that response teams take all appropriate actions to prevent threats to human health or the environment. OSCs and RRTs need to approve the use of a chemical cleanup agent, either site specifically or through contingency planning efforts.

What is an Oil?

Under § 311(a)(1) of the Clean Water Act (CWA) “oil” is “oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.” EPA interprets oil to include crude oil, petroleum and petroleum-refined products, and non-petroleum oils like vegetable and animal oils. Under the CWA, a substance that industry may not recognize as an oil (e.g., mineral oil) may be an oil for statutory purposes. “Oil” is also defined under other statutes including Title I of the Oil Pollution Act of 1990 (OPA). Currently, overlapping regulatory interpretations of “oil” exist. EPA’s Oil Spill Program and the U.S. Coast Guard (USCG) are developing a nationally consistent policy and method to help you determine what substances are oils under the CWA. Work closely with EPA and the USCG (as appropriate) to determine if substances you store, transfer, or refine, are “oils.”

Oil Recovery

For federal-lead cleanups, the OSC, response teams, and a network of experienced agencies determine the most effective cleanup methods for a spill response. For potentially responsible party (PRP)-lead cleanups, cleanup efforts are carefully and efficiently coordinated to protect response personnel, recreational areas, drinking water reservoirs, and wildlife from the potentially catastrophic effects of an oil spill.

Several factors affect the determination of the best method, or combination of methods, for recovering oil after a spill. You *must* consider the type and amount of oil spilled and the characteristics of the water body. The mechanisms most frequently employed to control oil spills and minimize their impact on human health and the environment fall into four broad categories: (1) mechanical containment or recovery including booms, barriers, skimmers, and sorbent materials; (2) chemical and biological methods including dispersants, gelling agents, and biological agents; (3) physical methods including wiping, pressure washing, raking, bulldozing, and scare tactics, such as floating dummies, to keep birds and other wildlife away from a spill; and (4) natural processes including evaporation, oxidation, and biodegradation.

Oil Types

You can group oil products into the following categories:

- ◆ Petroleum products (crude and refined);
- ◆ Vegetable oils and animal fats (edible and unrefined); and
- ◆ Other nonpetroleum oils.

Refined petroleum products differ in their physical and chemical characteristics and thus have different levels of persistence in the environment. Persistence indicates if the product has a tendency to remain in the environment. The most common refined petroleum products and their characteristics are as follows:

Gasoline: a lightweight substance that flows easily, spreads quickly, and evaporates readily under temperate conditions. Gasoline is highly volatile and flammable, posing a risk of fire and explosion. Gasoline is more toxic than crude oil because of the high concentration of aromatics. The use of dispersants is not appropriate unless the vapors pose a significant human health or safety hazard.

Kerosene: a lightweight substance that flows easily, spreads rapidly, and evaporates quickly. Kerosene disperses easily, but persists in the environment.

No. 2 Fuel Oil: a lightweight substance that flows easily, spreads rapidly, and disperses easily. It is neither volatile nor likely to form emulsions.

No. 4 Fuel Oil: a medium weight substance that flows easily and is readily dispersed if treated promptly. It has a low volatility and moderate flash point.

No. 5 Fuel Oil (Bunker B): a medium to heavyweight substance, with a low volatility and moderate flash point. Preheating may be required in cold climates. Dispersion is very difficult and potentially impossible.

No. 6 Fuel Oil (Bunker C): a difficult to pump, heavyweight substance that requires preheating for use. No. 6 Fuel Oil may be heavier than water. No. 6 Fuel Oil is not likely to dissolve, and is likely to form tar balls, lumps, and emulsions. No. 6 Fuel Oil is difficult or impossible to disperse. No. 6 Fuel Oil has a low volatility and moderate flash point and persists in the environment.

Lubricating Oil: a medium weight substance that flows easily and disperses easily if treated promptly. Lubricating oil has a low volatility and moderate flash point and persists in the environment.

Non-Petroleum Oils

Vegetable oil and animal fats have similar physical properties and fall within the general range of behaviors of petroleum oils in the environment. Most vegetable oils and animal fats have low volatility as compared to petroleum oil and remain solid in water at ambient temperatures. This results in less product removed from a spill by evaporation but reduces the combustion and explosive potential of these oils. Other nonpetroleum oils also fall within the general behavior of petroleum oil when spilled into the environment.

Where do I go for more information?

Compliance Assistance Guides

EPA's Compliance Assistance Guides are listed below. You can obtain these guides by contacting EPA Headquarters, any of the 10 EPA Regional Offices, or by visiting EPA's Oil Spill Program Website <http://www.epa.gov/oilspill>.

- ◆ Introduction and Background to the Oil Pollution Prevention Regulation
- ◆ Who's Who: Federal Agency Roles and Responsibilities for Oil Spill Prevention and Response
- ◆ What to Expect During an SPCC/FRP Inspection
- ◆ Facility Response Planning
- ◆ Sample SPCC Plan and Sample Containment Volume Calculations
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Bulk Oil Storage Facilities

- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Oil Production and Oil Drilling/Workover Facilities
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Farms and Ranches
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Mines and Quarries
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Electrical Utilities
- ◆ SPCC Requirements and Oil Pollution Prevention Practices for Vehicle Service Facilities
- ◆ Spill Prevention Requirements for Facilities Conducting Large Volume Transfer Operations
- ◆ Spill Prevention and Control for Marinas and Other Waterside Fueling Facilities
- ◆ Oil Spill Notification, Response, and Recovery

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
EPA Region 1 <i>Boston, Massachusetts</i> (617) 223-7265	<p>Connecticut <i>Department of Environmental Protection Oil & Chemical Emergency Response</i> (860) 424-3338</p> <p>Maine <i>Department of Environmental Protection</i> In State (800) 482-0777 Out of State (207) 822-6300 Out of State/Nonbusiness Hours (207) 657-3030</p> <p>Massachusetts <i>Department of Environmental Protection</i> Northeast Region (Woburn) (978) 661-7600 Southeast Region (Lakeville) (508) 946-2700</p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
	<p>Central Region (Worcester) (508) 792-7653</p> <p>Western Region (Springfield) (413) 784-1100</p> <p>Nonbusiness Hours (888) 304-1133</p> <p>New Hampshire <i>New Hampshire Department of Environmental Services</i> In State (603) 271-3503 In State/Nonbusiness Hours (800) 346-4009 Out of State/24 Hours (603) 271-3636</p> <p>Rhode Island<i>Department of Environmental Management</i> During Business Hours (401) 222-3872 In State/Nonbusiness Hours (800) 498-1336 Out of State/Nonbusiness Hours (401) 222-3070</p> <p>Vermont <i>Agency of Natural Resources</i> In State (800) 641-5005 Out of State (802) 244-8721</p>
<p>EPA Region 2 <i>Edison, New Jersey</i> (732) 548-8730</p>	<p>New Jersey <i>New Jersey Dept. Of Environmental Protection</i> (609) 292-7172</p> <p>New York <i>New York State Dept. of Conservation</i> 518) 457-7362</p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
	<p>Puerto Rico <i>Puerto Rico Environmental Quality Board</i> (787) 767-8181</p> <p>U.S. Virgin Islands <i>U.S. Virgin Islands Dept. of Planning & Natural Resources</i> (340) 777-4577</p>
<p>EPA Region 3 <i>Philadelphia, Pennsylvania</i> (215) 566-3255</p>	<p>Delaware<i>Emergency Management Agency</i>Business Hours (302) 834-4531 Nonbusiness Hours (302) 739-5851</p> <p><i>Department of Natural Resources and Environmental Control</i>24 Hours (302) 739-5072</p> <p>Maryland<i>Department of the Environment</i>24 Hours (800) 633-6101</p> <p>Pennsylvania<i>Department of Environmental Protection</i> (800) 541-2050 or (717) 787-4343</p> <p>Virginia<i>Department of Emergency Quality Regional Office</i>24 Hours (804) 674-2400 <i>Department of Environmental Services</i>24 Hours (804) 527-5020</p> <p>Washington D.C. Mayor's Command Center24 Hours (202) 727-6161</p> <p>West Virginia <i>Division of Environmental Protection</i>24 Hours (800) 642-3074</p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
EPA Region 4 <i>Atlanta,</i> <i>Georgia</i> (404) 562-8700	<p>Alabama <i>Department of Environmental Management</i> In State (800) 843-0699 Business Hours (334) 260-2700</p> <p>Florida <i>Department of Environmental Protection</i> In State (800) 320-0510 (850) 413-9911</p> <p>Georgia <i>Department of Natural Resources</i> (404) 656-4300</p> <p>Kentucky <i>Department of Environmental Protection</i> (800) 928-2380</p> <p>Mississippi <i>Department of Environmental Quality</i> (601) 352-9100</p> <p>North Carolina <i>Department of Environment, Health, and Natural Resources</i> Business Hours (919) 733-5291 Nonbusiness Hours (800) 858-0368</p> <p>South Carolina <i>Department of Health and Environmental Control</i> (803) 253-6488</p> <p>Tennessee <i>Department of Environment and Conservation</i> In State (800) 262-3300 Out of State (800) 258-3300</p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
EPA Region 5 <i>Chicago, Illinois</i> (312) 353-2318	<p>Illinois <i>Illinois Environmental Protection Agency</i> In State (800) 782-7860 Out of State (217) 782-7860</p> <p>Indiana <i>Department of Environmental Management</i> (317) 233-7745</p> <p>Ohio <i>Ohio Environmental Protection Agency</i> In State (800) 282-9378 Out of State (614) 224-0946</p> <p>Michigan <i>Department of Environmental Quality</i> In State (800) 282-9378 Out of State (517) 373-7660</p> <p>Minnesota <i>Minnesota Pollution Control Agency</i> In State (800) 422-0798 Out of State (612) 649-5451</p> <p>Wisconsin (800) 943-0003</p>
EPA Region 6 <i>Dallas, Texas</i> (214) 665-2222	<p>Arkansas <i>Office of Pollution Control and Ecology</i> Business Hours (501) 562-7444 Office of Emergency Services (501) 374-1201 (24 hours)</p> <p>Louisiana <i>Department of Environmental Quality</i></p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
	<p>24 Hours (505) 342-1234</p> <p>New Mexico <i>Environment Department</i> 24 Hours (505) 827-9329 Business Hours (505) 827-0187</p> <p>Oklahoma <i>Department of Environmental Quality</i> 24 Hours (800) 522-0206 Oil and Gas Pipelines and Production (580) 332-3441</p> <p>Texas <i>Natural Resources Conservation Commission</i> 24 Hours (512) 463-7777 Railroad Commission for Oil and Gas Production and Pipelines 24 Hours (512) 463-6788</p>
<p>EPA Region 7 <i>Kansas City, Kansas</i> (913) 281-0991</p>	<p>Iowa <i>Emergency Response Commission</i> (515) 281-8694</p> <p>Kansas <i>Department of Health and Environment</i> (785) 296-1500</p> <p>Missouri <i>Department of Natural Resources</i> Emergency Response Unit (573) 634-2436</p> <p>Nebraska <i>Department of Environmental Quality</i> (402) 471-4545</p>
<p>EPA Region 8 <i>Denver,</i></p>	<p>Colorado <i>Department of Public Health and Environment</i></p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
<p><i>Colorado</i> (303) 293-1788</p>	<p>24 Hours (303) 756-4455</p> <p>Montana <i>Disaster and Emergency Services</i> 24 Hours (406) 444-6911</p> <p>North Dakota <i>State Radio</i> 24 Hours (701) 328-2121</p> <p>South Dakota <i>Division of Emergency Management</i> 24 Hours (605) 773-3296</p> <p>Utah <i>Department of Emergency Management</i> 24 Hours (801) 536-4123</p> <p>Wyoming <i>Department of Environmental Quality</i> 24 Hours (307) 777-7781</p>
<p>EPA Region 9 <i>San Francisco, California</i> (415) 744-2200</p>	<p>American Samoa <i>American Samoa Environmental Protection Agency</i> 011-684-633-2304/2305</p> <p>Arizona <i>Arizona Department of Environmental Quality (ADEQ), Division of Water Quality</i> Business Hours (602) 207-4255 24 Hours (602) 207-4261</p> <p>California <i>California's Office of Emergency Services, Warning Center</i> 24 Hours (916) 262-1621</p> <p>Guam <i>Guam Environmental Protection Agency</i> (671) 475-1633</p>

EPA Spill Lines	State/Tribal Land/Territory/Commonwealth Notification Contacts (telephone numbers subject to change)
	<p>Hawaii <i>Hawaii Department of Health, Office of Hazard Evaluation &Emergency Response (HEER)</i> 24 Hours (808) 247-2191 Business Hours (808) 586-4249</p> <p>Nevada <i>Nevada Department of Environmental Protection (NDEP), Waste Management Division</i> (702) 687-4670 ext. 3043</p> <p>Northern Mariana Islands <i>Division of Environmental Quality</i> 011-670-234-6984/6114</p>
EPA Region 10 <i>Seattle, Washington</i> (206) 553- 1263	<p>Alaska <i>Alaska Dept. of Environmental Conservation</i> Nonbusiness Hours (800) 478-9300 Anchorage (907) 269-7500 Fairbanks (907) 269-7500 Juneau (907) 465-5340</p> <p>Idaho <i>Idaho State Communications</i> (208) 334-4570</p> <p>Oregon <i>Oregon Emergency Management</i> (503) 378-6377</p> <p>Washington <i>Department of Ecology</i> <i>Northwest Regional Office</i> (425) 649-7000 <i>Southwest Regional Office</i> (360) 407-6300 <i>Central Regional Office</i> (509) 575-2490 <i>Eastern Regional Office</i> (509) 456-2926 24 Hours (800) 258-5990</p>